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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,887	11/05/2001	Tetsuo Hoshi	010817	3039

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EXAMINER

LU, KUEN S

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 03/29/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/007,887

Applicant(s)

HOSHI ET AL.

Examiner

Kuen S Lu

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claim 17, 19, 20 and 22 are rejected are rejected under U.S.C. 102(e) as anticipated by Wong et al. (U.S. Patent 6,260,021, hereafter "Wong").

As per claim 17, Wong teaches the following:

"An information delivery service system" at the Abstract which summarizes the computer-based medical image distribution system and method,

"comprising: • service section" at Fig. 1, element 12 and col. 7, lines 11-15 by showing the medical image server the service section;

"plurality of nodes connected to said service section through a network and allocated with specific addresses that are unique within said network" at Fig. 1, elements 38s and 36, and col. 7, lines 53-61 and col. 8, lines 59-61 where the third-tier client systems are a plurality of nodes linked via network links to medical server by an implementation of TCP/IP suite of protocols which provide unique addresses to server and computer nodes; and "terminal devices for system users connected to said service section and said plurality of nodes through said network" at Fig. 1, elements 22 and 30, and col. 7, lines

33-37 and 59-61 by workstations connecting to nodes on the network through the medical image server;

“wherein said service section acquires profile data of each node user through each node and analyzes said profile data” at col. 10, lines 16-18 where personalization object server stores and retrieve user profile data and at col. 10, lines 48-67 where the image object coordinator checks and analyze profile data, “in order to mediate between said each node user and each system user according to said profile data to help exchange information” at col. 10, line 62 – col. 11, line 3 where image object coordinator returns result to user’s request according to the user preferences and workstation capabilities.

As per claim 19, Wong teaches “node user declares limit of profile data disclosure against said service section and obtains a level of service appropriate for said limit of profile data disclosure from said service section” at col. 10, lines 16-18, 54-57 and col. 10, line 62 – col. 11, line 3 where the personalization objects server stores and retrieves user profile data, object server checks the user is authorized to access the requested data, and image object coordinator composes responses to user according to the user profile preferences and the client workstation capabilities obtained from the personalization object server.

As per claim 20, Wong teaches “user profile data said service section uses at least either user specific static data independent of time lapse or user specific dynamic data dependent on time lapse” at col. 10, lines 25-27 and col. 13, lines 10-13 where static data of user profile includes biometric signatures, user role, user group membership and dynamic data includes password which may expire after a preset period of time.

As per claim 22, Wong teaches "service section updates said profile data of each node user according to a record of user access to content" at col. 10, lines 16-18 where the personalization objects server stores and retrieves user profile data.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 18, 21 and 23 are rejected are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al. (U.S. Patent 6,260,021, hereafter "Wong") and in view of Dahlen (U.S. Publication 2001/0012299).

As to claim 18, Wong teaches the following:

"An information delivery service system" at the Abstract which summarizes the computer-based medical image distribution system and method,

"comprising: • service section" at Fig. 1, element 12 and col. 7, lines 11-15 by showing the medical image server the service section; and

"a plurality of nodes connected to said service section through a network and allocated with specific addresses that are unique within said network and designed to receive broadcast content" at Fig. 1, elements 38s and 36, and col. 7, lines 53-61 and col. 8,

lines 59-61 where the third-tier client systems are a plurality of nodes linked via network links to medical server by an implementation of TCP/IP suite of protocols which provide unique addresses to server and computer nodes and receive broadcast content.

Wong does not teach "wherein said service section selectively delivers at least either an advertisement or information content suited for profile of each node user".

However, Dahlen teaches the selectively delivery of advertisement or information content at Page 1, [00023] where the narrowcast server narrowcasting information to individualized system users.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Dahlen's reference with Wong's by narrowcasting the broadcast information or advertisement to the selected users only because by doing so the network transmission bandwidth would have been narrowed down which would have contributed to network performance improvement.

As to claim 21, Dahlen further teaches "service section delivers at least either advertisement content or information content related to broadcast content" by narrowcasting information over a data network to the service subscribers at Fig. 2 and Page 3, [0028].

As per claim 23, Dahlen further teaches "service section acquires and analyzes audience data according to a record of user access to broadcast content" at Page 3, [0033] by push server to search for determining the preferences for the connected customer to receive information.

3. Claims 24-28 are rejected are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al. (U.S. Patent 6,260,021, hereafter "Wong") and in view of Dahlen (U.S. Publication 2001/0012299), as applied to claims 18, 21 and 23, and further in view of Eldering (U.S. Patent 6,324,519).

As per claim 24, the combined Wong-Dahlen reference teaches a information delivery system as described in Item 2.

The combined reference does not teach "service section performs at least either billing to an advertiser or measurement of advertising effectiveness according to record of data on access to advertisement content".

However, Eldering teaches "service section performs at least either billing to an advertiser or measurement of advertising effectiveness according to record of data on access to advertisement content" at Fig. 7 and col. 10, lines 20-27 by provider server to transmit correlation result, along with fee for providing the advertisement, to the content/opportunity provider.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Eldering and Dahlen's references with Wong's by enabling Wong's system to measure the effectiveness of advertisement because by doing so the advertisers would have been able to maximize the effect of their ads and their revenue of advertisement.

As per claim 25, Eldering further teaches "record of data on access to advertisement is carried out in response to a request from said service section" by the content/opportunity provider delivering the advertisement to the consumer at Fig. 1A and col. 1, lines 54-56.

As per claim 27, Eldering further teaches "transmission of said record of data on access to advertisement content is autonomously carried out by each node in response to a request from said service section" at Fig. 1A and col. 1, lines 54-56 by the content provider to respond the node's request and send over the advertisement.

As per claim 26, Dahlen teaches narrowcasting information over a data network to the service subscribers at Fig. 2 and Page 3, [0028].

Dahlen does not teach "transmission of said record of data on access to broadcast content from each node to said service section is carried out in response to request from said service section".

However, Eldering teaches after consumer PC sending out the bid and being accepted, the content/opportunity provider delivers the advertisement to the consumer at Fig. 1A and col. 1, lines 54-56.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Eldering's reference with Dahlen's by enabling users of Dahlen's system to present the request for content and receive more targeted advertisements because by doing so the advertisers would have been able to maximize the effect of their ads and their revenue of advertisement.

As per claim 28, Eldering further teaches "wherein transmission of said record of data on access to broadcast content from each node to said service section is autonomously carried out by each node in response to a request from said service section" at Fig. 1A and col. 1, lines 54-56 by the content provider to respond the node's request and send over the advertisement.

4. Claims 29 is rejected are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al. (U.S. Patent 6,260,021, hereafter "Wong"), as applied to claims 17, 19, 20 and 22 above, and further in view of Klemets et al. (U.S. Publication 2001/0013068).

As per claim 29, Wong teaches "a plurality of remote controller nodes connected as said plurality of nodes" at Fig. 1, elements 38s and 36, and col. 7, lines 53-61 and col. 8, lines 59-61 where the third-tier client systems are a plurality of nodes linked via network links to medical server by an implementation of TCP/IP suite of protocols which provide unique addresses to server and computer nodes.

Wong does not teach "said plurality of remote controller nodes being capable of adding timestamps to and storing received output signals from remote controllers and transmitting said output signals through an Internet".

However, Klemets teaches interleaving multimedia stream for synchronized transmission over a computer network at Fig. 4A, Pages 3, [0045] and 5, [0076] by capturing video/audio stream, compressing the stream and generating an annotation stream for synchronizing the display of a plurality of displaying events where timestamps are set when audio frames are retrieved.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Klemets' reference into Wong's system by integrating multimedia content by inserting timestamps in the frames in order to synchronize the delivery of medical images to the clients in Wong's system because by doing so that the interleaved files can be stored on the web server for subsequent retrieval by the clients.

Klemets further teaches "service section acquires said output signals from each said remote controllers node and analyzes operation performed by each said remote controller node" at Fig. 2 and Page 2, [0042] by production station to acquire video/audio inputs for analyzing and interleaving frames.

5. Claims 30, 32, 34, 37 and 39 are rejected are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al. (U.S. Patent 6,260,021, hereafter "Wong") and in view of Dahlen (U.S. Publication 2001/0012299), as applied to claims 18, 21 and 23, and further in view of Klemets et al. (U.S. Publication 2001/0013068).

As per claim 30, the combined Wong-Dahlen reference teaches a information delivery system as described in Item 2.

Dahlen further teaches "a plurality of remote controller nodes connected as said plurality of nodes" at Fig. 1, elements 10-14 and Fig. 3, and Pages 1, [0006] and 3, [0030] by showing customers or other system users with access a network (Page 1, [0006], lines 1-3) through network interface (Fig. 1, elements 10-12) with one or more servers identifiable on the network (Fig. 1, elements 16-24) where users are to receive broadcast data (Page 1, [0006] lines 1-8).

The combined Wong-Dahlen does not teach "said plurality of remote controller nodes being capable of adding timestamps to and storing received output signals from remote controllers and transmitting said output signals through an Internet".

However, Klemets teaches interleaving multimedia stream for synchronized transmission over a computer network at Fig. 4A, Pages 3, [0045] and 5, [0076] by capturing video/audio stream, compressing the stream and generating an annotation

stream for synchronizing the display of a plurality of displaying events where timestamps are set when audio frames are retrieved.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Klemets and Dahlen's references with Wong's system by integrating multimedia content by inserting timestamps in the frames in order to synchronize the delivery of medical images to the clients in Wong's system because by doing so that the interleaved files can be stored on the web server for subsequent retrieval by the clients.

Klemets further teaches "service section acquires said output signals from each said remote controllers node and analyzes operation performed by each said remote controller node" at Fig. 2 and Page 2, [0042] by production station to acquire video/audio inputs for analyzing and interleaving frames.

As per claim 32, Dahlen further teaches analyzing users' profile, determining what types of information to be narrowcast to particular user, retrieving reports based on system users current logged on and broadcasting the reports to appropriate system users at Fig. 7A and Page 5, [0045].

As per claim 34, Dahlen further teaches "each remote controller node sends a remote controller output signal to said service section each time a relevant remote controller is operated" at Fig. 6 and Page 4, [0043] where information is sent by a remote note and received by the "push" server, and narrowcast to another node.

As per claim 37, the combined Dahlen-Wong reference teaches server analyzing user profile and delivering advertisement content to remote controller as described in earlier section for rejecting claim 32.

Dahlen further teaches information is being sent by a remote node and received by the "push" server, and narrowcasting to preferred nodes at Fig. 6 and Pages 4, [0043] and 5, [0044] where the history of signal sending and receiving is monitored periodically and the operation command is entered by pressing the operation buttons.

The combined Dahlen-Wong reference does not teach the node type be wireless.

However, Klemets teaches an exemplary computer system includes products from many computer manufacturers or 'some other type of computer'.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Klemets and Dahlen's references into Wong's by including wireless type of computers as a plurality of computer nodes such that users of Wong's system would have been able to automatically and continuously receive individualized real-time information without requiring to establish multiple connections with a number of web sites or repeatedly talking to customer service representatives in an anywhere and anyplace fashion.

As per claim 39, Klemets further teaches "device is a television or a videocassette recorder and wherein infrared signals are used for command" at the Abstract by interleaving multi-media stream for synchronizing transmission over the network.

6. Claims 31, 33, 36 and 38 are rejected are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al. (U.S. Patent 6,260,021, hereafter "Wong") and in view of

Klemets et al. (U.S. Publication 2001/0013068), as applied to claims 17, 19, 20, 22 and 29 above, and further in view of Dahlen (U.S. Publication 2001/0012299).

As per claim 31, the combined Wong-Klemets reference teaches a plurality of nodes being capable of adding timestamps to the received remote signals and transmitting the signals over the internet as described in Item 4.

The combined reference does not teach "service section analyzes said user profile and delivers advertisement content to each remote controller node according to profile of each node user".

However, Dahlen teaches analyzing users' profile, determining what types of information to be narrowcast to particular user, retrieving reports based on system users current logged on and broadcasting the reports to appropriate system users at Fig. 7A and Page 5, [0045].

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Klemets-Dahlen's reference into Wong's by implementing narrowcasting "push" strategy on Wong's system because by doing so users of Wong's system would have been able to automatically and continuously receive individualized real-time information without requiring to establish multiple connections with a number of web sites or repeatedly talking to customer service representatives.

As per claim 33, Dahlen further teaches "each remote controller node sends a remote controller output signal to said service section each time a relevant remote controller is operated" at Fig. 6 and Page 4, [0043] where information is sent by a remote note and received by the "push" server, and narrowcast to another node.

As per claim 36, Dahlen further teaches information is being sent by a remote node and received by the "push" server, and narrowcasting to preferred nodes at Fig. 6 and Pages 4, [0043] and 5, [0044] where the history of signal sending and receiving is monitored periodically and the operation command is entered by pressing the operation buttons.

Dahlen does not teach the node type be wireless.

However, Klemets teaches an exemplary computer system includes products from many computer manufacturers or 'some other type of computer'.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Klemets-Dahlen's reference into Wong's by including wireless type of computers as a plurality of computer nodes such that users of Wong's system would have been able to automatically and continuously receive individualized real-time information without requiring to establish multiple connections with a number of web sites or repeatedly talking to customer service representatives in an anywhere and anyplace fashion.

As per claim 38, Klemets teaches "device is a television or a videocassette recorder and wherein infrared signals are used for command" at the Abstract by interleaving multimedia stream for synchronizing transmission over the network.
inputs for analyzing and interleaving frames.

7. Claim 35 is rejected are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al. (U.S. Patent 6,260,021, hereafter "Wong") and in view of Dahlen (U.S.

Publication 2001/0012299) and Klemets et al. (U.S. Publication 2001/0013068), as applied to claims 18 and 30 above, and further in view of Park (U.S. Patent 6,061,082).

As per claim 35, the combined Klemets-Dahlen-Wong reference teaches interleaving multi-media frames for narrowcasting over network as described in Item 5.

The combined reference does not teach "service section analyzes and processes data on audience rating of television".

However, Park teaches rating internet TV audience rating automatically by receiving internal email generated by the TVs.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Park, Klemets and Dahlen's references with Wong's by enabling audience rating functionality on Wong's system such that its users would have been able to receive more targeted advertisements which can be accurately measured such that the advertisers would have been able to maximize the effect of their ads and their revenue of advertisement.

Conclusions

8. The prior art made of record
 - A. U.S. Patent 6,260,021
 - B. U.S. Publication 2001/0012299
 - C. U.S. Publication 2001/0013068
 - D. U.S. Patent 6,324,519
 - E. U.S. Patent 6,061,082

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

F. U.S. Patent 6,578,201

G. U.S. Patent 6,411,684

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is 703-305-4894.

The examiner can normally be reached on 8 AM to 5 PM, Monday through Friday.

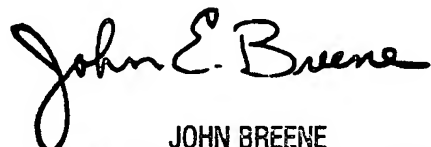
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Kuen S. Lu

Patent Examiner

March 16, 2004



JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 20